



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,606	08/25/2003	Richard Harvey	063170.6701	4231
5073	7590	06/25/2007		
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			EXAMINER LEWIS, ALICIA M	
			ART UNIT 2164	PAPER NUMBER
			NOTIFICATION DATE 06/25/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mike.furr@bakerbotts.com
ptomail1@bakerbotts.com

Office Action Summary

Application No.

10/648,606

Applicant(s)

HARVEY ET AL.

Examiner

Alicia M. Lewis

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to the communication filed April 20, 2007. Claims 1 and 8-10 have been amended. Therefore, claims 1-10 are pending in this application.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims represent an abstract idea, directed solely to non-functional descriptive material. When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement (See MPEP 2106.01).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claim 1, Gadbois teaches a web services directory comprising:
at least one business entity object (elements 232, 242, 252 in Figure 2, paragraphs 28-29); and
at least one user object, wherein the at least one business entity object is arranged under the at least one user object (elements 222 and 224 in Figure 2, paragraphs 27 and 28).

With respect to claim 2, Gadbois teaches the web services directory as recited in claim 1, further comprising:
at least one business service object (element 243 in Figure 2, paragraph 28); and
at least one binding template object (element 245 in Figure 2, paragraph 28),
wherein the at least one business service object is arranged under the at least one business entity object, and the at least one binding template object is arranged under the at least one business service object (Figure 2).

With respect to claim 3, Gadbois teaches the web services directory as recited in claim 1, wherein the at least one business entity object is arranged under the at least one user object by virtue of at least one corresponding user child object (elements 222, 232, 242 and 252 in Figure 2, paragraphs 26-28).

With respect to claim 4, Gadbois teaches the web services directory as recited in claim 1, further comprising at least one domain object, wherein the at least one user object is arranged under the at least one domain object (elements 170 and 210 in Figure 2, paragraph 24, paragraph 26, paragraph 27 lines 1-4).

With respect to claim 5, Gadbois teaches the web services directory as recited in claim 1, further comprising apparatus adapted to implement the web services directory, and in which directory services are invoked (paragraphs 21-25).

With respect to claim 6, Gadbois teaches the web services directory as recited in claim 5, wherein the directory services are invoked using at least one of X.500 and LDAP protocols (paragraph 24 lines 8-12, paragraph 26 lines 10-11).

With respect to claim 7, Gadbois teaches a web services system comprising:
a registry (paragraph 5 lines 19-25) in which businesses may register, the registry comprising a hierarchical directory including at least one business entity object (element 232 in Figure 2) and at least one user object (element 222 in Figure 2), the at least one business entity object being arranged under the at least one user object (Figure 2, paragraphs 25-28); and

a storage system for storing business information and accessible via the hierarchical directory (paragraphs 23, 24 and 26).

4. Claims 1-3, 5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Murto et al. (US Patent Application Publication 2004/0213409 A1) ('Murto').

With respect to claim 1, Murto teaches a web services directory comprising:
at least one business entity object (paragraph 60); and
at least one user object, wherein the at least one business entity object is arranged under the at least one user object (Figures 2 and 4A, paragraphs 94, 114-118 and 169).

With respect to claim 2, Murto teaches the web services directory as recited in claim 1, further comprising:

at least one business service object (paragraph 61); and
at least one binding template object, wherein the at least one business service object is arranged under the at least one business entity object, and the at least one binding template object is arranged under the at least one business service object (paragraph 62).

With respect to claim 3, Murto teaches the web services directory as recited in claim 1, wherein the at least one business entity object is arranged under the at least one user object by virtue of at least one corresponding user child object (Figures 2 and 4A, paragraphs 94, 114-118 and 169).

With respect to claim 5, Murto teaches the web services directory as recited in claim 1, further comprising apparatus adapted to implement the web services directory, and in which directory services are invoked (paragraph 48-49).

With respect to claim 7, Murto teaches a web services system comprising:
a registry (paragraph 12) in which businesses may register, the registry comprising a hierarchical directory including at least one business entity object (paragraph 60) and at least one user object, the at least one business entity object being arranged under the at least one user object (Figures 2 and 4A, paragraphs 94, 114-118 and 169); and

a storage system for storing business information and accessible via the hierarchical directory (paragraphs 12, 16 and 21).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois') in view of Murto et al. (US Patent Application Publication 2004/0213409 A1) ('Murto').

With respect to claim 8, Gadbois teaches a web services system comprising:
a registry in which businesses may register, the registry comprising a hierarchal directory comprising (paragraph 5 lines 19-25):

at least one domain object, wherein the at least one domain object comprises a directory prefix name, and the at least one domain object is a root object of the hierarchal directory (elements 170 and 210 in Figure 2, paragraph 24, paragraph 26, paragraph 27 lines 1-4);

at least one user object, the at least one user object is arranged under the at least one domain object (elements 222 and 224 in Figure 2, paragraph 24 lines 1-5, paragraphs 27 and 28); and

a storage system for storing business information and accessible via the hierarchical directory (paragraphs 23, 24 and 26).

Gadbois does not teach wherein the at least one user object identifies a user account for managing at least one business entity object arranged under the at least one user object.

Murto teaches service discovery access to user location (see abstract), in which he teaches wherein the at least one user object identifies a user account for managing at least one business entity object arranged under the at least one user object (paragraph 94).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Gadbois by the teaching of Murto because

Art Unit: 2164

wherein the at least one user object identifies a user account for managing a plurality of objects arranged under the at least one user object would enable a mobile phone or wireless PDA to discover Internet businesses and services in a specified geographical location by accessing a UDDI registry, thus providing more applications to Gadbois, invention.

With respect to claim 9, Gadbois as modified teaches the web services directory as recited in claim 8, the hierarchical directory further comprising:

at least one business service object, wherein the at least one business service object comprises data identifying a technical service, and the at least one business service object is arranged under the at least one business entity object (Gadbois, element 243 in Figure 2, paragraph 28; Murto, paragraph 61); and

at least one binding template object, wherein the at least one binding template object comprises data identifying a plurality of service specifications, and the at least one binding template object is arranged under the at least one business service object (Gadbois, element 245 in Figure 2, paragraph 28; Murto, paragraph 62).

With respect to claim 10, Gadbois as modified teaches the web services directory as recited in claim 9, the hierarchical directory further comprising at least one tmodel object, wherein the at least one tmodel object comprises a keyed reference to the at least one binding template object, and the at least one tmodel object is arranged under

the at least one user object (Murto, paragraphs 63 and 76-77; Gadbois, paragraphs 38-39 and 47).

Response to Arguments

7. Applicant's arguments filed April 20, 2007 have been fully considered but they are not persuasive. Applicant argues that there is no support for the conclusion that any object accessible by a user qualifies as a user object. Examiner disagrees. It is well known in the art that the term object is very broad, but may generally refer to any item that can be individually selected and manipulated, and in programming, a self-contained entity that consists of both data and procedures to manipulate the data. Thus, the term user object is also broad, and may refer to an object accessible by a user. If applicant has a different definition for the term, he may consider clarifying this in the claims.

8. Applicant also argues that Organization1 222 and Organization2 224 are not user objects, and that Gadbois does not teach that users may access Organization1 222 and Organization2 224. Examiner disagrees. Nodes 222 and 224 both represent objects that may be accessed by a user, thus making them user objects. Applicant has not supplied a different interpretation or definition for the term "user object," thus any object accessible by a user may qualify as a user object. Paragraph 26 teaches that directory server 150 stores information for access by users, and that this information may be stored in directory information tree 170, such as that of Figure 2. According to paragraph 27, organizational nodes 222 and 224 each act as root nodes for an organizational sub-tree. The organizations may be any type of entity, including

Art Unit: 2164

governmental, institutional, academic and personal. Each organizational node is coupled to a number of interior sub-nodes, which contain further information, or links to further information, regarding the respective organization. Therefore, organizational nodes 222 and 224 may represent user objects and groups node 232, business services node 242 and publisher assertions node 252 may represent business entities under the user object, organization1 node 222.

9. Regarding Murto, Applicant argues that Murto does not teach at least one business entity object being arranged under at least one user object. Examiner disagrees. Applicant has alleged that examiner refers to user data 222 as a user object and business entity XML element of UDDI registry 170. This is incorrect. Murto teaches user profiles (user objects) having user's search handles and UDDI search strategies (Figure 4A, paragraph 94) arranged under them. He further teaches that the stored search handles with appended UDDI search strategies includes a business entity object (paragraphs 116-118). Therefore, as seen in Figure 4A, Murto teaches a business entity object (UDDI strategies) being arranged under a user object (user profile).

10. Lastly applicant argues that there is no suggestion that the alleged user object manages at least one business entity object. Examiner disagrees. Again, the user profile manages the user's search handles and UDDI strategies, which include business entity objects.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2164

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
June 13, 2007



SAM RIMELL
PRIMARY EXAMINER